

Exhibit 9

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY RAPP, et ano.,)
)
 Plaintiffs,)
)
 vs.) Case No.
) 1:20-cv-09586
 KEVIN SPACEY FOWLER,)
)
 Defendant.)
)

REMOTE VIDEO DEPOSITION OF
WILLIAM BROWN

DATE TAKEN: March 3, 2022
REPORTED BY: RENEE HARRIS, CSR 14168, CCR, RPR
JOB NO. 5107124
PAGES: 1 - 91

1 A. We went to the apartment residence and we
2 had a drink. We chatted and then we left.

3 Q. Did you see pornography playing on the
4 television at this apartment?

5 MR. SAGHIR: Objection to the form as 12:47:15
6 leading.

7 THE WITNESS: I do not recall
8 pornography.

9 BY MR. SCOLNICK:

10 Q. Did you discuss pornography with 12:47:19
11 Mr. Dawes while at the apartment?

12 MR. SAGHIR: Objection to the form as
13 leading.

14 THE WITNESS: I don't recall that.

15 BY MR. SCOLNICK: 12:47:30

16 Q. Did you discuss pornography with
17 Mr. Dawes after leaving the apartment?

18 MR. SAGHIR: Objection to the form as
19 leading.

20 THE WITNESS: I don't recall. 12:47:36

21 BY MR. SCOLNICK:

22 Q. Sitting here today, do you have any
23 recollection of discussing pornography with
24 Mr. Dawes after leaving the house or an
25 apartment -- house or apartment in 1988? 12:47:51

1 MR. SAGHIR: Objection to the form as
2 leading.

3 THE WITNESS: As I sit here today, no, I
4 do not.

5 BY MR. SCOLNICK: 12:47:58

6 Q. For how long were you at the apartment?

7 MR. SAGHIR: Note my objection to the
8 form. Mischaracterizing testimony.

9 THE WITNESS: It wasn't -- it wasn't
10 long. I would only be able to guess that it 12:48:17
11 was, I don't know, 15, 20 minutes.

12 BY MR. SCOLNICK:

13 Q. Did you ever leave Mr. Dawes in a room
14 alone with Mr. Fowler?

15 MR. SAGHIR: Note my objection to the 12:48:31
16 form as leading.

17 THE WITNESS: No, not that I recall.

18 BY MR. SCOLNICK:

19 Q. Did you see Mr. Fowler touch Mr. Dawes in
20 a manner that you believe was inappropriate? 12:48:39

21 MR. SAGHIR: Note my objection to form as
22 leading and vague.

23 THE WITNESS: No.

24 BY MR. SCOLNICK:

25 Q. Did Mr. Fowler put his hand on Mr. Dawes' 12:48:47

1 leg for 30 to 45 seconds?

2 MR. SAGHIR: Objection to the form. No

3 foundation. Leading.

4 THE WITNESS: I do not recall that.

5 BY MR. SCOLNICK: 12:48:58

6 Q. Did you see Mr. Fowler put his hand on

7 Mr. Dawes' leg at all?

8 MR. SAGHIR: Note my objection to the

9 form as leading.

10 THE WITNESS: I don't recall that. 12:49:06

11 BY MR. SCOLNICK:

12 Q. Did you see Mr. Fowler touch Mr. Dawes in

13 any way?

14 A. I don't recall.

15 Q. To be clear, you don't recall seeing 12:49:16

16 Mr. Fowler touch Mr. Dawes in any way; correct?

17 A. Correct.

18 Q. To your knowledge, did Mr. Fowler make

19 any physical contact with Mr. Dawes?

20 MR. SAGHIR: Objection to the form as 12:49:33

21 leading. Lack of foundation. Calling for

22 speculation.

23 THE WITNESS: I don't recall.

24 BY MR. SCOLNICK:

25 Q. And to be clear, you don't have any 12:49:46

1 recollection of Mr. Fowler making any physical
2 contact with Mr. Dawes; correct?

3 MR. SAGHIR: Objection to the form as
4 leading. Asked and answered. Calling for
5 speculation. 12:49:56

6 THE WITNESS: As I -- as I sit here
7 today, no, I don't recall whether there was
8 any --

9 MR. SAGHIR: Hold on.
10 (Reporter clarifying.) 12:50:11

11 THE WITNESS: As I sit here today, I
12 don't recall if there was any -- (audio
13 disruption).

14 (Reporter clarifying.)

15 THE WITNESS: I don't recall if there -- 12:50:22
16 as I sit here today, I don't recall if there
17 was any physical contact between the two of
18 them.

19 (Reporter clarifying.)

20 BY MR. SCOLNICK: 12:50:31

21 Q. Did Mr. Dawes tell you when he left the
22 apartment or house that Mr. Fowler touched him
23 inappropriately?

24 A. No, not that I recall.

25 Q. Did Mr. Dawes ever tell you that 12:50:42

1 Mr. Fowler touched him inappropriately?

2 MR. SAGHIR: Objection to the form as
3 leading.

4 THE WITNESS: Not that I recall.

5 BY MR. SCOLNICK: 12:50:51

6 Q. Did Mr. Dawes ever tell you that
7 Mr. Fowler touched his leg?

8 MR. SAGHIR: Note my objection to the
9 form as leading.

10 THE WITNESS: Not that I recall. 12:50:58

11 BY MR. SCOLNICK:

12 Q. Did Mr. Dawes ever tell you that
13 Mr. Fowler touched him at all?

14 MR. SAGHIR: Note my objection to the
15 form as leading. 12:51:06

16 THE WITNESS: Not that I recall.

17 BY MR. SCOLNICK:

18 Q. And to address the objection, what, if
19 anything, do you recall Mr. Dawes telling you
20 about Mr. Fowler allegedly touching him? 12:51:14

21 A. I don't have -- I don't have any recall
22 of that conversation.

23 Q. Okay.

24 When you worked at Long Wharf Theatre,
25 did you ever warn Mr. Dawes to stay away from 12:51:36

1 Mr. Fowler?

2 MR. SAGHIR: Note my objection to the
3 form as leading. Mischaracterizing
4 testimony.

5 THE WITNESS: No, not that I recall. 12:51:44

6 BY MR. SCOLNICK:

7 Q. Did you ever tell Mr. Dawes that
8 Mr. Fowler had a predilection towards young boys?

9 MR. SAGHIR: Note my objection to the
10 form as leading. 12:51:56

11 THE WITNESS: No.

12 BY MR. SCOLNICK:

13 Q. Did you tell Mr. Dawes that he should be
14 aware of Mr. Fowler's alleged fondness for boys
15 when Mr. Dawes interacts with Mr. Fowler? 12:52:03

16 MR. SAGHIR: Note my objection to the
17 form as leading.

18 THE WITNESS: Not that I recall.

19 BY MR. SCOLNICK:

20 Q. What, if any, warnings did you give 12:52:09
21 Mr. Dawes about Mr. Fowler?

22 A. I don't recall giving him any warnings.

23 Q. I want to do a screen share at this
24 point. I'm going to show you what we'll mark as
25 exhibit -- 12:52:27

1 MR. SCOLNICK: Well, could I please have
2 access to screen sharing?

3 THE VIDEOGRAPHER: You have access now.

4 MR. SCOLNICK: Thank you.

5 BY MR. SCOLNICK: 12:52:43

6 Q. I'm going to show what you what we'll
7 mark as Exhibit 400.

8 MR. SCOLNICK: And for the record, this
9 will be pages 96 and 97 of Mr. Dawes'
10 12/28/2021 deposition transcript. 12:52:58

11 (Exhibit 400 was received and marked
12 for identification on this date and is
13 attached hereto.)

14 BY MR. SCOLNICK:

15 Q. Okay. Referring to the bottom of page 96 12:53:01
16 and the top of page 97, Mr. Dawes said --
17 testified under oath, that, "I was cautioned by my
18 friend, at least one other person, that in my
19 interactions with Kevin, they said to be aware
20 that he is -- he has a fondness or predilection 12:53:18
21 for boys, younger boys, so they said just be aware
22 of this in your interactions with him."

23 Did I read that correctly?

24 A. Yes.

25 Q. And do you have any recollection of 12:53:37

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1 telling Mr. Dawes that Mr. Fowler has a fondness
2 for young boys?

3 MR. SAGHIR: Objection. Asked and
4 answered.

5 THE WITNESS: No, I do not. 12:53:48

6 MR. SCOLNICK: Taking down the exhibit.

7 BY MR. SCOLNICK:

8 Q. Do you recall approximately when National
9 Anthems ended its run at the Long Wharf Theatre?

10 A. It would have been in the beginning of 12:54:05
11 '89. The runs were about six weeks long, so...

12 Q. After National Anthems ended its run, did
13 you stay in touch with Mr. Dawes?

14 A. Yes.

15 Q. Did you tell Mr. Dawes in 1989 that Kevin 12:54:28
16 Spacey was asking about him?

17 A. I don't specifically recall that.

18 Q. Did you tell Mr. Dawes in 1989 that Kevin
19 Spacey was asking about a play that Justin was in?

20 A. It's -- I don't have a specific 12:54:52
21 recollection but I -- I don't have a specific
22 recollection of that conversation.

23 Q. When did you last speak to Mr. Dawes?

24 A. Define "speak."

25 Q. Either in person or by telephone or by 12:55:25

1 of 2021?

2 A. Correct.

3 Q. And did you speak with any attorney

4 from -- or on behalf of Mr. Rapp?

5 A. I did.

01:04:19

6 Q. How many times did you speak with an

7 attorney for Mr. Rapp?

8 A. To the best of my recollection, I believe

9 that there have been three occasions, all brief.

10 Q. Did you ever discuss with the attorney

01:04:33

11 for Mr. Rapp your recollection of your

12 interactions with Mr. Fowler in 1988?

13 A. Yes.

14 Q. And did Mr. Rapp's attorney ask you in

15 December if you recalled seeing any pornography at

01:04:56

16 the apartment that you visited in 1988?

17 A. I believe so, yes.

18 Q. And did you tell Mr. Rapp's attorney that

19 you do not recall seeing any pornography on the

20 television at the apartment in 1988?

01:05:14

21 A. Correct.

22 Q. I'm sorry, I didn't get the answer.

23 A. Correct.

24 Q. Do you recall any other questions that

25 Mr. Rapp's counsel asked you in December of last

01:05:24

1 Q. Did you attempt to call Mr. Dawes in
2 2017?

3 A. No.

4 MR. SCOLNICK: I'll refer to Exhibit 405.

5 And this will be page 94 from Mr. Dawes' 01:17:30
6 12/28/2021 transcript.

7 (Exhibit 405 was received and marked
8 for identification on this date and is
9 attached hereto.)

10 BY MR. SCOLNICK: 01:17:47

11 Q. Starting at line 4, "Tell me about the
12 conversation you told us about earlier about, you
13 know, that you had with him after the article came
14 out?

15 "Answer: I don't recall speaking after 01:17:58
16 the article came out. I know that they -- my
17 recollection is that he said, 'They are trying to
18 contact me, should I speak to them about this?'
19 And I said, sure.

20 "And he said, did you give them my name? 01:18:11

21 "And I said, yeah, I gave them your name,
22 and if you want to talk to them, then you're
23 welcome to. If not, you don't have to. But we
24 agreed at the time that his memories of those
25 events corroborated my recollection." 01:18:26

1 Did I read that correctly?

2 A. Yes, you did.

3 Q. Did Mr. Dawes contact you and tell you
4 that people from BuzzFeed Magazine were going to
5 try to contact you? 01:18:47

6 MR. SAGHIR: Objection to the form as
7 leading. Compound.

8 MR. SCOLNICK: Strike that. Let me ask
9 the question better.

10 BY MR. SCOLNICK: 01:18:55

11 Q. Did Mr. Dawes tell you in 2017 that
12 reporters from BuzzFeed Magazine would be
13 contacting you?

14 MR. SAGHIR: Objection to the form as
15 leading. 01:19:05

16 THE WITNESS: No.

17 BY MR. SCOLNICK:

18 Q. What, if anything, did Mr. Dawes tell you
19 about reporters contacting you in 2017 to verify
20 his story? 01:19:12

21 A. Could you repeat the question?

22 Q. Sure.

23 What, if anything, did Mr. Dawes tell you
24 in 2017 about reporters from BuzzFeed contacting
25 you to verify his allegations? 01:19:25

1 A. Nothing.

2 THE WITNESS: I just received word that
3 Attorney Brigham can't hear anybody --

4 MR. SCOLNICK: Oh, let's go off the
5 record just -- just very briefly, we're 01:19:47
6 trying -- we're trying to end this very
7 quickly.

8 THE VIDEOGRAPHER: Going off the record.
9 The time is 1:19 p.m.

10 (Pause in proceedings.) 01:22:10

11 THE VIDEOGRAPHER: We are back on the
12 record. The time is 1:22 p.m.

13 BY MR. SCOLNICK:

14 Q. Mr. Brown, we left off on page 94 of
15 Mr. Dawes' 12/28/2021 transcript. 01:22:29

16 When, if ever, did you agree with
17 Mr. Dawes that his memories and allegations
18 against Mr. Fowler were true and accurate?

19 A. I didn't --

20 MR. SAGHIR: Objection to the form. 01:22:49

21 THE WITNESS: I did not have a
22 conversation with him regarding that.

23 BY MR. SCOLNICK:

24 Q. Focusing on page 94 of Mr. Dawes'

25 transcript, do you believe that Mr. Dawes' 01:22:59

1 statements and characterizations about his
2 communications with you are accurate?

3 MR. SAGHIR: Objection to the form.
4 Calling for speculation. Leading.

5 THE WITNESS: If -- if his testimony is 01:23:19
6 that between the -- the time the BuzzFeed was
7 putting together the article, that he and I
8 had a conversation about him speaking to
9 BuzzFeed, that -- I cannot agree that that
10 happened. 01:23:39

11 BY MR. SCOLNICK:

12 Q. At any point in 2017, did you tell
13 Mr. Dawes that his allegations against Mr. Fowler
14 were true and accurate?

15 MR. SAGHIR: Objection to the form. 01:24:02

16 THE WITNESS: No.

17 MR. SAGHIR: Leading. Asked and
18 answered.

19 THE WITNESS: No.

20 MR. SCOLNICK: Court reporter, did you 01:24:14
21 get the answer?

22 THE REPORTER: Yes.

23 MR. SCOLNICK: Okay.

24 Take down the screen.

25 Mr. Brown, at this point I have no 01:24:35

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1 MR. SAGHIR: I didn't get the witness's
2 answer, Ms. Harris, I'm sorry.

3 THE WITNESS: Correct.

4 MR. SAGHIR: You have his answer,
5 Ms. Harris? 01:38:29

6 THE REPORTER: Yes.

7 BY MS. SAGHIR:

8 Q. Do you recall seeing Mr. Spacey talk
9 about a magic trick he did during the show of
10 National Anthems while at Bennigan's? 01:38:40

11 A. I recall that he did some magic tricks as
12 well as impressions. I don't remember the
13 particular magic trick that he performed.

14 Q. What -- what impressions do you recall
15 Mr. Spacey doing at Bennigan's? 01:38:58

16 A. The only one I recall is Johnny Carson.

17 Q. And for clarity, this is the same night
18 that you and Mr. Dawes were at the Bennigan's;
19 correct?

20 A. Correct. 01:39:06

21 Q. You mentioned that there was a
22 conversation about the movie Chinatown.

23 Tell us what that conversation was about.

24 A. I don't recall the exact conversation.

25 When the issue came up about Chinatown, that 01:39:35

1 Mr. Spacey indicated that it was a great movie,
2 and neither Mr. Dawes nor I had seen it at that
3 point. As a matter of fact, I still haven't seen
4 it.

5 Then there was a conversation or an 01:39:52
6 invitation that we should all get together.

7 Q. I'm really sorry, Mr. Brown, just the end
8 of it cut off.

9 MR. SAGHIR: Ms. Harris, did you -- did
10 you get that? 01:40:13

11 (Record read.)

12 MR. SAGHIR: I didn't hear you,
13 Ms. Harris. I'm sorry. "That we should all
14 be together"?

15 (Record read.) 01:40:27

16 BY MR. SAGHIR:

17 Q. Who made that invitation?

18 A. Mr. Spacey.

19 Q. And did he say where you should all get
20 together? 01:40:33

21 A. At the place that he was staying.

22 Q. Do you recall if Mr. Spacey said he was
23 having a little party?

24 A. I don't recall.

25 Q. Do you deny that Mr. Spacey said he was a 01:40:49

1 little party?

2 MR. SCOLNICK: Objection to the form.

3 THE WITNESS: I don't recall.

4 BY MR. SAGHIR:

5 Q. My question is: Do you deny that 01:40:59

6 Mr. Spacey said he was having a little party?

7 MS. BRIGHAM: He's answered it.

8 MR. SCOLNICK: Join. Asked and answered.

9 BY MR. SAGHIR:

10 Q. When you say "you don't recall," for 01:41:07

11 clarity, you can neither admit nor deny that he

12 said he was having a little party; is that

13 correct?

14 A. That's correct.

15 MR. SCOLNICK: Objection. Objection to 01:41:17

16 form. Sorry.

17 THE WITNESS: That is correct. I can't

18 admit or deny something I can't recall.

19 BY MR. SAGHIR:

20 Q. Did you go to Mr. Spacey's -- withdrawn. 01:41:43

21 Did you go to the place where Mr. Spacey

22 was staying?

23 A. Yes.

24 Q. How did you get there?

25 MR. SCOLNICK: Objection -- I'm sorry, 01:41:52

1 BY MR. SAGHIR:

2 Q. Was Mr. Spacey drinking the same thing
3 that you and Mr. Dawes were drinking?

4 MR. SCOLNICK: Objection to form.

5 THE WITNESS: I have no idea. 01:49:25

6 BY MR. SAGHIR:

7 Q. Are you able to describe the place where
8 Mr. Spacey was staying during this run of National
9 Anthems?

10 A. I am not. 01:49:50

11 Q. And for clarity --

12 MR. SCOLNICK: Objection -- objection to
13 form as to the last question.

14 BY MR. SAGHIR:

15 Q. And for clarity, you're not able to 01:49:59
16 describe the exterior or the interior of this
17 place; is that true?

18 A. That is correct.

19 Q. I believe earlier you were asked
20 questions about whether or not pornography was 01:50:25
21 playing on a television when you went to Mr. --
22 the home where Mr. Spacey was staying during the
23 run of National Anthems; do you recall that?

24 A. I do recall.

25 Q. And your testimony was that you do not 01:50:37

1 recall whether or not pornography was playing;

2 correct?

3 MR. SCOLNICK: Objection. Misstates the

4 testimony.

5 THE WITNESS: I do not recall

01:50:46

6 pornography, correct.

7 BY MR. SAGHIR:

8 Q. Okay. And when you say "you do not
9 recall pornography," as we discussed before, you
10 can neither admit nor deny that there was
11 pornography playing on the television; correct?

01:50:52

12 MR. SCOLNICK: Objection to form.

13 THE WITNESS: That is correct; if I
14 cannot recall there being pornography, I can
15 neither admit that it was playing nor deny
16 that it wasn't playing.

01:51:07

17 BY MR. SAGHIR:

18 Q. I'm just putting up some more -- just
19 bear with me one moment please.

20 Do you recall seeing a television at the 01:52:01
21 place you and Mr. Dawes went when Mr. Spacey
22 invited you there to watch Chinatown?

23 A. Yes.

24 Q. Describe the television that you saw.

25 A. I don't think I -- it was a television. 01:52:15

1 I, RENEE HARRIS, a Certified Shorthand
2 Reporter of the State of California, a Certified
3 Court Reporter for the State of New Jersey, and a
4 Registered Professional Reporter, do hereby
5 certify:

6 That prior to being examined, the witness
7 named in the foregoing deposition was by me duly
8 sworn to testify to tell the truth, the whole
9 truth, and nothing but the truth;

10 That the said deposition was by me
11 recorded stenographically;

12 And the foregoing pages constitute a full,
13 true, complete and correct record of the testimony
14 given by the said witness;

15 That I am a disinterested person, not
16 being in any way interested in the outcome of said
17 action, or connected with, nor related to any of
18 the parties in said action, or to their respective
19 counsel, in any manner whatsoever.

20
21 Dated: March 20, 2022

22
23 

24 Renee Harris, CSR, CCR, RPR
25 CA CSR No. 14168,
NJ CRR No. 30XI00241200; RPR